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### REMARKS

Claim 46 has been cancelled. Claims 1, 7-9, 18, 20, 35, 38, 39, 42 and 45 have been amended. Claims 1-45 are pending.

#### Objection to Drawings

In the Office Action, the Examiner objected to the drawings under 37 C.F.R. § 1.83(a) for failing to show claimed feature(s): extendible rearward feet. Because Applicant has amended Claims 7-8, and 9, Applicant respectfully submits that the objection is moot. Applicant respectfully requests that the Examiner withdraw the objection.

#### Objection to Claim 42

In the Office Action, the Examiner objected to Claim 42 for reciting a misspelled term: "fron" instead of "front." Applicant has amended Claim 42 and respectfully requests that the Examiner withdraw the Objection.

#### Rejection of Claims 8 and 9

In the Office Action, the Examiner rejected Claims 8 and 9 as being indefinite under 35 U.S.C. § 112 for reciting extendible feet. Applicant has amended Claims 7-8, and 9 to recite "legs" instead of "feet." Applicant respectfully submits that Claims 8 and 9 are allowable and requests that the Examiner withdraw the rejection and allow Claims 8 and 9.

Because Figure 5 shows legs 30, portions of which are "feet," and because the specification describes "rearward feet" (*see, e.g.,* page 5, lines 11-15 of the specification) Applicant respectfully disagrees with Examiner and reserves the right to pursue such limitations in a future continuing application.

#### Rejection of Claim 18

In the Office Action, the Examiner rejected Claim 18 as indefinite under 35 U.S.C. § 112 for failing to provide antecedent basis for the term "the base." Applicant has amended Claim 18 to delete "base" and add "bottom portion." Proper antecedent basis has been added for the "bottom portion" of the display. Applicant respectfully submits that currently amended Claim 18

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is allowable and requests that the Examiner withdraw the rejection and allow Claim 18. Applicant has amended Claim 20 for clarification.

Rejection of Claims 1-7, 10, 16-22, 25-28, 30-32, 35-44

In the Office Action, the Examiner rejected Claims 1-7, 10, 16-22, 25-28, 30-32, and 35-45 as being anticipated under 35 U.S.C. § 102(e) by a new reference: United States Patent No. 5,844,543 to Tamura et al. ("Tamura").

The subject matter of the pending claims is related to force-sensitive display input forces and the effect those forces have on the stability of a force-sensitive input device *as a whole*. Tamura does not provide any disclosure of the information necessary to determine under what circumstances an input force would destabilize the input device as a whole (e.g., typical input forces, device weight, device dimensions, etc.). Not only does Tamura fail to provide disclosure directed towards this subject matter, but it discloses a large, heavy "main body 1" that poses no apparent risk of instability. The Examiner has the burden of showing that Tamura expressly or inherently describes these claimed force-related and/or stability-related limitations. Applicant respectfully submits the Examiner has not met this burden.

To anticipate a claim, the reference must teach every element of the claim. See MPEP § 2131 at 2100-69. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." See *id.* (quoting *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987))(emphasis added).

Applicant respectfully submits that Claims 1-7, 10, 16-22, 25-28, 30-32, and 38-44 are allowable because each claim contains at least one force-related or stability-related limitation that is neither expressly nor inherently described in Tamura. For example, Claim 1 recites:

said upper leaf positioned such that the maximum *force typically applied* to the uppermost force sensitive portion of the display screen in ordinary use is less than that needed *to cause the microprocessor controlled device to tip backwards* while positioned on a generally horizontal surface, *but would cause such tipping* if the same upper leaf were mounted at the rear edge of the same lower leaf with the screen at the same comfortable viewing angle.

(emphasis added). Tamura does not specify any amount of force applied to the system's display 5 or the respective weights and dimensions of the system's components (e.g., "main body 1" and "input display section 2"). Without knowing the applied force, the components' weights, and the components' dimensions, one cannot determine whether that unknown force 1) "is less than that needed to cause the microprocessor controlled device to tip backwards" and 2) "would cause such tipping if the same upper leaf were mounted at the rear edge of the same lower leaf with the screen at the same comfortable viewing angle." Further, Tamura discloses a large, heavy "main body 1" that poses no apparent risk that any "force typically applied ... would cause such tipping if the same upper leaf were mounted at the rear edge of the same lower leaf with the screen at the same comfortable viewing angle." The Examiner has the burden of showing that Tamura expressly or inherently describes every limitation in Claim 1; Applicant respectfully submits that the Examiner has not met that burden. Accordingly, Claim 1 is not anticipated. Similarly, each of Claims 2-7, 10, 16-22, 25-28, 30-32, and 38-44 has at least one force-related or stability-related limitation that is neither expressly nor inherently described in Tamura. Accordingly, Claims 2-7, 10, 16-22, 25-28, 30-32, and 38-44 are not anticipated. In addition to the force-related and stability-related limitations, Applicant respectfully submits that Tamura fails to expressly or inherently describe certain other limitations, as set forth below.

Applicant respectfully submits that Claims 1-7, 10, 16-20, 38-44 are allowable because each has an access-related limitation that is neither expressly nor inherently described in Tamura. For example, Claim 1 recites:

said upper leaf positioned inwardly from the front edge of said lower leaf  
such that a significant portion of said lower leaf forward of said upper leaf is  
directly accessible by a user.

Tamura does not provide the access-related features described in Claim 1. Rather, as shown in Figures 3, 9(c), 21(c), 27, 34(c), Tamura's display section 2 must be locked in an obstructive "pen input" position to enable pen input. *See, e.g.*, Col. 14, ll. 10-15, 44-49. To enable key input, the display section 2 is positioned in an alternative "key input" position. *See, e.g.*, Figure 2; Col. 14, ll. 5-10; Col. 27, ll. 34-67. Accordingly, Claim 1 provides a microprocessor controlled device that is more accessible for any suitable purpose, including but not limited to access for input. Accordingly, Claim 1 is not anticipated. Similarly, each of Claims 2-7, 10, 16-

20, 38-44 has at least one access-related limitation that is neither expressly nor inherently described in Tamura. Accordingly, Claims 2-7, 10, 16-20, 38-44 are not anticipated.

Applicant respectfully submits that Claims 30-32 are allowable because each claim contains at least one limitation that is neither expressly nor inherently described in Tamura. Tamura does not expressly or inherently describe "said screen mounted to the base so that at least 30 percent but not more than 80 percent of the screen area is positioned directly above the base," as claimed in independent Claim 30. Rather, in Tamura, when the screen is mounted to its main body in "pen input position," 100 percent of the screen area is positioned directly above its main body. *See* Figs. 3, 9(c), 21(c), 27, 34(c). Because dependent Claims 31 and 32 contain every limitation in Claim 30, Tamura does not expressly or inherently describe every limitation in Claims 31 and 32. Accordingly, Claims 30-32 are not anticipated.

Applicant respectfully submits that Claims 35-37 are allowable because each claim contains at least one limitation that is neither expressly nor inherently described in Tamura. Tamura does not expressly or inherently describe 1) "a force sensitive screen mounted to said base at an angle which is tilted with respect to said base to permit easy viewing of the screen and in a position appropriate to permit user input through the application of a force applied to the screen" and 2) "said screen being positioned with respect to the base such that a line perpendicular to the screen and passing through the top most force sensitive portion of the screen does not pass through the base," as now claimed in independent Claim 35. Rather, in Tamura, the line would pass through the its main body of its device in its disclosed "pen input position." *See* Figs. 3, 9(c), 21(c), 27, 34(c). Because dependent Claims 36 and 37 contain every limitation in Claim 35, Tamura does not expressly or inherently describe every limitation in Claims 36 and 37. Accordingly, Claims 35-37 are not anticipated.

Applicant respectfully submits that Claim 45 is allowable because Claim 45 contains at least one limitation that is neither expressly nor inherently described in Tamura. Tamura does not expressly or inherently describe "said screen adjustment means increasing the distance between the position of the bottom edge of the screen relative to the back edge of the base by sliding the bottom edge along the base towards the front edge in order to stabilize the device upon exercise of pressure upon the pressure sensitive screen," as now claimed in independent Claim 45. Rather, in Figure 21(b), Tamura describes an input display section 2 rotating with respect to a connecting section 3. Accordingly, Claim 45 is not anticipated.

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Because Tamura does not expressly or inherently describe limitations in Claims 1-7, 10, 16-22, 25-28, 30-32, and 35-45, Applicant respectfully submits that Claims 1-7, 10, 16-22, 25-28, 30-32, and 35-45 are allowable and requests that the Examiner withdraw the rejection and allow Claims 1-7, 10, 16-22, 25-28, 30-32, and 35-45.

Rejection of Claim 11-15, 23-24, 29, 33, and 34

In the Office Action, the Examiner rejected Claims 13-15, 23-24, 29, 33, and 34 as being obvious under 35 U.S.C. § 103(a) over Tamura and rejected Claims 11 and 12 as being obvious under 35 U.S.C. § 103(a) over United States Patent No. 5,754,395 to Hsu et al. ("Hsu") in view of Tamura.

Applicant respectfully submits that Claims 11-15, 23-24, 29, 33, and 34 are not obvious because each claim contains limitations that are neither taught nor suggested in Tamura or in a combination of Tamura and Hsu. The MPEP mandates: "To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art." See MPEP 2143.03 at 2100-126 (emphasis added). As shown above, at least one claim limitation in each of independent Claims 1, 21, 25, and 30 is not taught or suggested by Tamura. Thus, because dependent Claims 11-15, 23-24, 29, and 33-34 respectively include every limitation in Claims 1, 21, 25, and 30, Tamura or a combination of Tamura and Hsu do not teach or suggest every limitation in Claims 11-15, 23-24, 29, and 33-34. Accordingly, Tamura and Hsu do not render Claims 11-15, 23-24, 29, and 33-34 obvious.

Further, Applicant respectfully submits that Claims 11 and 12 contain other limitations that are neither taught nor suggested in Tamura or in a combination of Tamura and Hsu. Hsu does not teach or disclose "a keyboard coupled to the lower leaf which extends forward as the display is raised," as claimed in Claim 11. Rather, Hsu discloses a keyboard 6 that pivots and does not extend forward. See Col. 4, ll. 26-30 ("Linkage assembly 8 is responsive to movement of lid 12 to automatically pivot keyboard 6."). Thus, because dependent Claim 12 includes every limitation in Claim 11, Tamura or a combination of Tamura and Hsu do not teach or suggest every limitation in Claim 12. Accordingly, Tamura and Hsu do not render Claims 11 and 12 obvious.

Because Tamura or a combination of Tamura and Hsu do not teach or suggest every limitation in Claims 11-15, 23-24, 29, 33, and 34, Applicant respectfully submits that Claims 11-

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15, 23-24, 29, 33, and 34 are allowable and requests that the Examiner withdraw the rejection and allow Claims 11-15, 23-24, 29, 33, and 34.

Conclusion

For the foregoing reasons, Applicant respectfully submits that the pending claims are allowable and respectfully requests that the examiner allows the pending claims and pass the present application to issuance.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

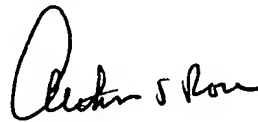
Respectfully submitted,

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Dated: \_\_\_\_\_

6/2/03

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